

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

MELANIE J. KIRKLAND,
Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

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Civil Action No. 1:08-CV-00115

O R D E R

THIS MATTER is before the Court on Plaintiff's Motion For Award of Attorney Fees Under the Equal Access to Justice Act and the Social Security Act filed on December 5, 2008.

By Response filed on December 11, 2008, Defendant advises that the parties have reached agreement on this matter and he will not oppose an award of legal fees in the amount of \$4,623.28, as full satisfaction of any and all claims by Plaintiff in this case under 28 U.S.C. § 2412(d).

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion For Award of Attorney Fees Under the Equal Access to Justice Act and the Social Security Act is **GRANTED**, and Plaintiff's counsel is hereby awarded **\$4,623.28** for attorney's fees.

IT IS FURTHER ORDERED that no additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

Signed: December 11, 2008

A handwritten signature in dark ink, appearing to read "Lacy H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

